

SMK

CONSULTANTS

surveying – irrigation – environmental – planning

ABN 63 061 919 003

39 Frome Street
PO Box 774
Moree NSW 2400
Ph 02 6752 1021
Fax 02 6752 5070
admin@smk.com.au

Group Offices:
Goondiwindi, Gatton,
Brisbane
www.smk.com.au



Vicarage Café and Fuel Service

STATEMENT OF ENVIRONMENTAL EFFECTS

Simon Doolin
“Cleveland”
North Star NSW 2408

October 2020

The publication of this document has been developed by SMK Consultants Pty Ltd.

Copyright 2020 by SMK Consultants Pty Ltd.

All rights reserved, no part of this publication may be reproduced, stored in a retrieval system or transmitted, in any form or by any means, electronic, mechanical, photocopying, recording, or otherwise, without prior written permission.

All images and diagrams remain the property of SMK Consultants Pty Ltd.

SMK

CONSULTANTS

surveying – irrigation – environmental – planning

ABN 63 061 919 003

SMK

CONSULTANTS

surveying – irrigation – environmental - planning

ABN 63 061 919 003

39 Frome Street
PO Box 774
Moree NSW 2400
Ph 02 6752 1021
Fax 02 6752 5070
admin@smk.com.au

Group Offices:
Goondiwindi, Gatton,
Brisbane
www.smk.com.au

Vicarage Café and Fuel Service

STATEMENT OF ENVIRONMENTAL EFFECTS

Simon Doolin
“Cleveland”
North Star NSW 2408

October 2020

DOCUMENT CONTROL

Project Name	Vicarage Café and Fuel Service
Applicant	Simon Doolin "Cleveland" North Star NSW 2408 0429 047 197
Project Reference	20-255
Report Number	20-255
Prepared for	Simon Doolin "Cleveland" North Star NSW 2408
Prepared by	SMK Consultants 39 Frome Street Moree, NSW 2400
Contact	Kyra O'Sullivan kyra@smk.com.au 02 6752 1021

Author	
Name	<i>Kyra O'Sullivan</i>
Position	Kyra O'Sullivan BEng. (Hon) MIEAust.
Company	Environmental Engineer SMK Consultants
Reviewed By	
Name	<i>Peter Taylor</i>
Position	Peter Taylor BSc. MEIANZ CIAg LAA
Company	Director SMK Consultants

Revision History			
Version Number	Date	Authority	Details
0	October 2020	Peter Taylor	Updated to include Vicarage Café
1	November 2020	Kyra O'Sullivan	Updated to include Council feedback

EXECUTIVE SUMMARY

This Statement of Environmental Effects (SoEE) has been prepared by SMK Consultants on behalf of Simon Doolin (“the Applicant”) to support the construction and operation of the Vicarage Café and Fuel Service in North Star. The Café aims to provide a grocery and takeaway food and alcohol service the community and travellers through North Star. The Fuel Service is to consist of self-bunded portable fuel facilities to provide a supply of diesel and petrol to the local region due to the closure of all other fuel facilities in the North Star area.

Applicant:	Simon Doolin “Cleveland” North Star NSW 2408
Owner:	Lots 15 and 33 DP17921 - Chippen Holdings, 17 Francis, Street, Goondiwindi QLD 4390 Lots A and B DP103346 – The Corporate Trustee of the Diocese of Armidale, P.O. Box 198, Armidale NSW 2350.
Subject Land:	Lots 15 & 33 in Deposited Plan 17921, Lots A and B in DP103346 Address: 7 -11 Edward Street, North Star NSW 2402
Local Government Authority:	Gwydir Shire Council
Proposed Development:	Construction and operation of a Café and portable self-bunded fuel supply tanks.
Type of Development:	Local Development under the Gwydir Local Environmental Plan 2013.
Permissibility:	The proposed development is permissible with the consent of Gwydir Shire Council.

Approvals and Licences

The following approvals are required to construct and operate the proposed shop and fuel station facility:

- Development Consent from Gwydir Shire Council under Part 4 of the *Environmental Planning and Assessment Act 1979*.

TABLE OF CONTENTS

1	Introduction	8
1.1	Proposed Development Outline	8
1.2	Site Operations.....	10
1.3	Construction.....	12
1.4	Required Approvals	13
2	Policy and Legislation Assessment	14
2.1	Commonwealth Legislation and Regulations.....	14
2.1.1	Environmental Protection and Biodiversity Conservation Act 1999	14
2.2	State Legislation, Regulations and Policies.....	14
2.2.1	Environmental Planning and Assessment Act 1979.....	14
2.2.2	Environmental Planning and Assessment Regulation 2000	14
2.2.3	Biodiversity Conservation Act 2016.....	14
2.2.4	State Environmental Planning Policies	15
2.3	Local Planning Instruments	22
2.3.1	Gwydir Local Environmental Plan 2013	22
2.3.2	Draft Environmental Planning Instruments	24
2.3.3	Development Control Plans.....	24
3	Environmental Assessment	24
3.1	Soil and Lithology	24
3.2	Land Contamination	24
3.3	Water Resources	25
3.3.1	Water Supply.....	26
3.3.2	Wastewater Generation	27
3.4	Air Quality	27
3.5	Noise Impacts.....	28
3.6	Odour Emissions.....	29
3.7	Energy	30
3.8	Safety, Security & Crime Prevention	30
3.9	Waste	30
3.10	Natural Hazards.....	31
3.10.1	Bushfire Risk	31
3.10.2	Flooding Liability.....	31
3.11	Cultural Heritage	31
3.11.1	Indigenous Heritage	31

3.11.2	Non-indigenous Heritage.....	31
3.12	Visual Impacts	32
3.13	Access, Transport and Parking.....	32
3.14	Services and Utilities	33
3.15	Social and Economic Impacts	33
3.16	Cumulative Impacts.....	34
4	Suitability of the Site for the Development	35
4.1	Context and Setting.....	35
4.2	Land Use Conflict.....	35
4.3	The Public Interest.....	35
4.4	Alternatives	36
5	Conclusion and Recommendations	37
	Plan 1 – Locality Plan.....	38
	Plan 2 – Site Plan.....	40

1 Introduction

This Statement of Environmental Effects has been prepared on behalf of Simon Doolin to accompany a Development Application (DA) to Gwydir Shire Council. The application seeks consent for the construction and operation of a Café and Fuel Service facility to be located at 7 to 11 Edward Street, North Star. The facility will be referred to as the Vicarage Café.

Persons involved in the preparation of this Statement of Environmental Effects and its appendices are:

- **Kyra O'Sullivan** BEng (Hon) MIEAust.
- **Peter Taylor** B.Sc. MEIANZ CIAg

1.1 Proposed Development Outline

The proposed development is for a Cafe and fuel service facility to be located within the North Star main street area. The development will involve conversion of the Vicarage at 11 Edward Street into the Café and small grocery facility. The land to the immediate south including Lots 15 & 33 in DP 17921 which was previously operated as a fuel depot site, will be utilised for establishment of two portable self-bunded – self-serve containerised fuel tanks.

The development site is Rural Zone RU5 – Village under the Gwydir Local Environmental Plan 2013 (LEP). The combined Lot area is approximately 5,200 m². The site has frontage to Edward Street and a rear access through Lot 33 from David Street.

The Vicarage Cafe aims to provide the local North Star community and travellers with service point for:

- Groceries,
- Takeaway food,
- Takeaway alcohol, and
- Self-serve diesel and petrol.

Fuel and shop facilities have historically been present in North Star for the local community. However, over time, the various facilities have closed or reduced their service capacity. Currently, Residents of the village travel 40 kilometres north to Boggabilla for fuel and a further 10 kilometres into Goondiwindi for groceries and supplies. Limited grocery and fuel supplies are available to the south at Croppa Creek.

The Vicarage Cafe will provide a number of grocery items such as milk, frozen goods, a small supply of vegetables, dry goods and a takeaway food service. The facility will also provide a potential point for delivery and despatch of minor freight parcels and courier services for local

residents. The Cafe intends to operate for 12 hours per day, opening from 7am and closing at 7pm, 7 days per week.

The fuelling facilities will utilise self-bunded portable containerised fuel tank systems. The containerised tanks provide their own bunding with an inner and outer tank. The outer tank has the capacity to contain the entire contents of the primary tank in the event of a spill. Therefore, no further bunding is required. Such containerised tank systems are now prevalent on farms, industrial facilities and small communities as they meet the safety requirements for storage of fuel without the need for large concrete bunds and spill treatment areas. The bowsers can also operate with a card system and therefore the option of self-serve becomes available.

The proposal includes provision of a separate diesel tank with two bowsers and a smaller tank for supply of petrol. The fill points and bowsers for both tanks will be concreted and bunded to ensure any spillage caused by customers does not migrate into the soil. The concreted area will extend beneath the fuel filling points and have a central drain to capture spilt fuel. The design of this grate and subsequent storage tank will be subject to several parameters including tank size and flow rate. The storage tank will be dewatered on an as required basis by an appropriately licensed contractor. The details of the spillage retention system will be determined during the design and construction certificate phase of the development.

Road access will be available from the bitumen sealed David Street entrance road to the fuel tanks. The David Street entryway and culvert will be concreted and designed to accommodate turning trucks and vehicles in accordance with Austroads design and Council Policy. The turning area and carpark around the fuel tanks and outside of the concrete bund will be gravelled with a low dust emission material such as blue metal gravel. Once refuelled, vehicles can then exit onto Edward Street. All vehicles will exit onto Edward Street in a forward direction. The exit and culvert on Edward Street will be designed in accordance with Austroads and Council Policy.

The required buffer distances between the fuel storages and adjoining land are available in accordance with NSW and Australian Standards for aboveground fuel tanks. Concrete bollards will be installed around the tanks to provide suitable collision protection from the impact of a motor vehicle.

Diesel fuel will be accessible 24/7 via an EFTPOS card system. Unleaded fuel will only be available during shop opening times in accordance with management requirements for the sale of petrol. It should be noted that the diesel is classified as a combustible liquid and petrol is classified as a flammable liquid. These classifications establish different rules for the sale of diesel and petrol through the self-bunded-self serve tank systems.

The attached **Plan 1** presents a locality plan showing the site and surrounding area. **Plan 2** presents a site plan showing the layout of the tanks, bowsers and cafe as well as associated drainage works.

1.2 Site Operations

The Vicarage Café will have the shop front onto Edward Street. A walkway will be constructed from the adjoining fuel service area. Staff parking for the Café will be located at the rear of the building. This will involve approximately two staff.

All access for vehicles using the fuel facilities will occur from David Street through to Edward Street. No traffic will be allowed to enter the fuel service facilities from Edward Street.

The existing Vicarage residence will be renovated to include a shop front access with steps and a disabled ramp. The takeaway facilities will not include provision for onsite consumption of food or beverage.

Fuel operations would involve vehicles entering the site from the existing entry point from David Street. Vehicles will utilise an existing entrance to drive west across Lot 33 to access the fuel bowsers and site parking. Patrons will either refuel or park to access the shop. Vehicles will then exit via the designated exit point onto Edward Street. Parking spaces will also be available on Edward street in the event onsite parking is full.

The intention is to provide a 24-hour fuel facility for diesel. Fuel will be accessible via a card-swipe system which allows patrons to dispense the required amount without supervision from a store clerk. Diesel is classified as a Class II combustible liquid.

Petrol will only be available during store operational hours under the supervision of a shop clerk. Petrol is classified as a flammable liquid and therefore separate rules apply to petrol sales. This is due to requirements surrounding petrol dispensing and the liquids highly flammable nature.

Overhead lights will be installed to direct light onto the fuel pads. The lights are to be directional and the light spill from the site will be minimised. The lights will include some automation to provide a brighter directional light when a vehicle is present and a standard safety light when the bowser is not being used at night. The intention is to reduce the impact of lighting through the night on adjoining landowners.

Each truck refuelling is expected to be onsite for approximately 20 minutes. Light vehicles with smaller tanks are expected to be onsite for 5-10 minutes. During fuelling, the vehicles will drive onto the concrete pad which is sloped and banded to prevent any fuel spills from entering the stormwater system. All vehicles will be required to turn the engine off while fuelling is occurring.

The diesel tank will have a capacity of 63,000 L and with two bowsers. Vehicles will be able to park either side of the tank to refuel with diesel. Trucks will be encouraged to park on the northern side of the tank and light vehicles to the south. The diesel tank is to be located on the northern side of Lot 15 with a 5m buffer from the northern Lot boundary.

The petrol tank will be smaller with a 10,000 L capacity. It will be located on the southern side of Lot 15. There will only be one fill point from this tank which will be on the northern side. An access road will be located on the southern side of the tank as per Australian Fuel storage Standards.

A lower proportion of unleaded vehicles are expected to utilise the service station as the majority of vehicles are likely to be trucks and diesel farm vehicles.

A spill kit will be required for this site. This will consist of the standard materials required to soak up and collect any fuel spilt outside of the concrete bunding to be established adjacent to the bowsers.

A small LPG gas tank will also be present onsite to supply the Cafe with cooking gas. A 500kg LPG tank is expected to fulfill this need. It will be located at the rear (east) of the Vicarage Café.

It is expected that up to 10 trucks per day may use the diesel facilities during peak grain harvest periods. A similar number of light vehicles are expected to utilise the refuelling facilities. Up to 20 cars are expected to access the shop per day with food available from 7am until 7pm. The use of the site will be dependent on seasonal factors such as harvest and the occurrence of social and sporting events in North Star.

The residence on Lot 33 will be retained for use by the Shop manager. This residence extends over both Lots 15 and 33 with access via Lot 15. The eastern part of Lot 33 which is currently fenced off for the residence, will be retained as part of the back-yard for the residence and will not be used by the Café facility.

North Star does not have a municipal sewage system. All facilities within North Star utilise onsite wastewater management systems. The onsite system for the residence on Lot 33 will service the residence only. The disposal area of the residence septic tank is in the backyard and will not affect the proposed development. The existing onsite system at the Vicarage will require an extension to cater for the potential use by shop patrons. The upgrade will be subject to design and Council approval. This will be subject to the installation of additional toilet facilities; however, the Café is expected to generate more wastewater than a residence.

The intent is to utilise street parking on Edward Street for patrons in addition to parking on Lot 15 with additional potential parking on the northern side of the Café building.

1.3 Construction

Construction works will consist of civil works to prepare the site for the fuel facilities and adjoining parking area. The works will include reconstruction and concreting of the driveways from David and Edward Streets to enable road train access to the fuel bowsers. This work will require an upgrade of the existing concrete gutter entrance areas in accordance with Council and Austroad requirements.

Once the entry and exit ways are concreted, the main entrance driveway can be sprayed and sealed with bitumen. This will greatly reduce dust and noise emissions to the northern receptor at 10 David Street.

A gravel foundation on the fuelling and carpark area will be prepared with a low dust emitting gravel such as blue steel gravel. The concrete spill pad underneath the fuel tanks will be prepared and poured. This will include an appropriate slope to a central storm water pit and pipe work to connect to an oil-water separator, if required. The concrete area will be minimised to support the immediate area adjoining the fuel bowsers. Minimising this area of concrete will reduce the required capacity of the collection tank and oil-water separator in relation to rainfall collection. The area around the concrete pad and carpark will remain as a low dust emitting gravel. A bitumen seal would be unable to withstand the turning movements of trucks and vehicles without forming potholes and nonconformities. A gravel pad will provide greater ease for surface maintenance when potholes form.

The fuel facilities will require electrical works for lights and electrical connections to the fuelling facilities. An onsite power pole has already been established. Underground power will be connected to each of the self-bunded fuel tanks.

The two tanks systems will be delivered to site and placed on the required concrete foundations. The tanks are self-bunded and therefore no additional fuel bunding is required. The tanks are considered to be fully containerised and no further construction work is required other than connection to electricity.

The acoustic wall running parallel with the sealed entrance road will be constructed and the vegetation barrier planted with a fast-growing species. A vegetation barrier will also be planted on the southern boundary of the site carpark to protect the residence at 5 Edward Street.

The Vicarage residence will require internal modifications to provide a shop front and storage areas. This will include modification of the entrance area. The Vicarage has existing power, water and septic.

Final construction works will consist of signage. This will include advertising signs for the shop and fuel facility, fuel price signs, traffic signage to identify entry and exit points and safety signage.

Construction hours will be from 7am to 6pm weekdays and from 7am to 2 pm on Saturdays. The construction work is expected to take approximately 1-month, dependent on weather and the delivery of specific components.

1.4 Required Approvals

The Development Application is considered a Local Development under the Environmental Planning and Assessment Act 1979. Approval is therefore required from the Gwydir Shire Council before the proposal can proceed.

Once development approval is obtained, construction works can commence subject to obtaining a construction certificate. Once works are completed, the applicant will need to apply to Council for an occupation certificate to enable commencement of the enterprise.

In relation to the sale of fuel on this site, the facility will require registration as a Service Station Operator. This is done through the web-based portal *FuelCheck* operated by NSW Fair Trading for all fuel sale facilities. The volume of fuel to be sold will determine the registration requirements. The North Star site intends to sell diesel and one form of Unleaded Petrol. The estimated volume to be sold will be below the threshold of 900,000 litres per quarter and therefore the facility is not expected to trigger a requirement to also sell Biofuel.

The proposal also intends to provide Café facilities to sell a minor range of groceries and take-away food and alcohol. This application to Council satisfies the registration requirements for Local Government. The facility will need to meet specific standards in relation to Food Standards Codes and hold appropriate Licences for the sale of takeaway alcohol. This will include appropriate signage and will be subject to approval by NSW Police.

2 Policy and Legislation Assessment

2.1 Commonwealth Legislation and Regulations

2.1.1 Environmental Protection and Biodiversity Conservation Act 1999

The Commonwealth Environment Protection and Biodiversity Conservation Act, 1999 (EPBC Act) requires the approval of the Commonwealth Minister for the Environment for actions on Commonwealth land or those that may have a significant impact on matters of national environmental significance.

The proposal is located within the existing town area of North Star. The development is not considered to produce off-site impacts which will degrade or alter either Commonwealth land or land of national environmental significance.

2.2 State Legislation, Regulations and Policies

2.2.1 Environmental Planning and Assessment Act 1979

The Environmental Planning and Assessment Act 1979 provides the framework for NSW Planning Legislation. Under this Act, local councils prepare Local Environmental Plans (LEPs) that specify planning controls for specific parcels of land. The Act also provides for State Environmental Planning Policies (SEPPs) and Regional Environmental Plans (REPs). Applicable SEPPs are discussed in Section 2.2.4.

This document has been prepared in accordance with the requirements of this Act. The following sections address matters for consideration outlined under Section 79C (1) of the Act to provide an assessment of how the development complies with relevant legislation and policies, and how the proposal will be developed and managed to protect the built and natural environment.

2.2.2 Environmental Planning and Assessment Regulation 2000

The NSW Environmental Planning and Assessment Regulation 2000 requires that certain documents must accompany a development application. This Statement of Environmental Effects and its attachments satisfy these requirements.

2.2.3 Biodiversity Conservation Act 2016

The Biodiversity Conservation Act 2016 (BC Act) came into effect on the 25th of August 2017. The new legislation aims to deliver a strategic approach to biodiversity conservation in NSW. The biodiversity conservation and land management reforms repealed several existing Acts, in particular the *Native Vegetation Act 2003*, *Threatened Species Conservation Act 1995* and the *Nature Conservation Trust Act 2001*.

The development is located within the town area of North Star and on a site that does not support native vegetation. The properties support gardens and lawn. The development will not involve impact of matters considered under this Act.

2.2.4 State Environmental Planning Policies

Table 1 presents a summary and comment on current State Environmental Planning Policies and identifies their relevance to the proposed development.

Table 1: State Environmental Planning Policies and Development Codes

SEPP No. & Codes	Title	Relevance
No. 1	Development Standards	Not Relevant
No. 21	Caravan Parks	Not Relevant
No. 30	Intensive Agriculture	Not Relevant
No. 32	Urban Consolidation (Redevelopment of Urban Land)	Not Relevant
No. 33	Hazardous & Offensive Development	Refer following section
No. 36	Manufactured Home Estates	Not Relevant
No. 44	Koala Habitat Protection	Refer following for Koala Impact Review
No. 50	Canal Estate Development	Not Relevant
No. 55	Remediation of Land	Refer following for Remediation of Land Review
No. 62	Sustainable Aquaculture	Not Relevant
No. 64	Advertising and Signage	Refer following assessment
No. 65	Design Quality of Residential Apartment Development	Not Relevant
	Affordable Rental Housing 2009	Not Relevant
	Building Sustainability Index: BASIX 2004	Not Relevant
	Exempt and Complying Development Codes 2008	Not Relevant
	Housing for Seniors and or People with Disability 2004	Not Relevant
	Infrastructure 2007	Not Relevant
	Mining, Petroleum Production & Extractive Industries 2007	Not Relevant
	Miscellaneous Consent Provisions 2007	Not Relevant
	Rural Lands SEPP 2008	Not relevant
	State and Regional Development 2011	Not Relevant
	State Significant Precincts 2005	Not Relevant
	Draft Primary Production and Rural Lands SEPP	Not relevant

2.2.4.1 State Environmental Planning Policy No.33 – Hazardous and Offensive Industry

SEPP 33 raises the issue of: *if the development were to operate without employing any measures (including, for example, isolation from existing or likely future development on other land) to reduce or minimise its impact in the locality or on the existing or likely future development on other land, would emit a polluting discharge (including for example, noise) in*

a manner which would have a significant adverse impact in the locality or on the existing or likely future development on other”

Parameters raised in this policy have been considered in this report.

The Vicarage Café can be defined under several classifications within the local government definitions, including:

- A retail premise,
- A food premise, and
- A Service Station

The retail and food premise does not trigger the definition of a potential hazardous or offensive industry. A facility selling fuel is considered a potentially hazardous industry due to the risk of liquid fuel leaks and spills and the subsequent possibility of a fire or explosion. The following provides a preliminary hazard analysis (PHA).

Hazardous materials to be stored at the proposed development will include

- 63,000 L Diesel – Class C1 Combustible Liquid
- 10,000 L Unleaded Petrol – Class PGII Flammable Liquid
- 500kg Liquefied Petroleum Gas (for kitchen use)

All tanks will be constructed in accordance with AS1692-2006 – Steel tanks for Flammable and Combustible Liquids. The tanks will be made in accordance with this standard. This refers to the quality of construction to ensure tank safety.

Diesel is classified as a combustible liquid by Australian Standard (AS) 1940 - The Storage and Handling of Flammable and Combustible Liquids. The diesel is a Class C1 liquid. The diesel is not classified as a dangerous good by the criteria of the Australian Dangerous Goods Code (ADG Code) (National Transport Commission, 2007). In the event of a spill, diesel is damaging to soils and aquatic ecosystems and fires can occur if ignited (flash point 61 to 150 degrees Celsius). Construction and operation of all fuel storages would be undertaken in accordance with the requirements of AS 1940.

Petrol is classified as a flammable liquid (Class 3) by AS 1940 and as such is classified as a dangerous good by the criteria of the ADG Code.

If Class C1 liquids are present onsite and stored within a separate bund (or the only combustible liquid onsite), they are not considered to be potentially hazardous. This is applicable as the containerised tanks to be used at The Vicarage are entirely self-bunded.

The tanks will be installed with the following buffer distances as recommended by Australian Standards. Requirements are based on the diameter and volume of the fuel tanks. Approximate tank widths/diameters are 2.5m for both diesel and petrol.

Separation required from tank to:	Separation Distance	
	Petrol	Diesel
Fill points for packages, (drums or tank vehicles, not fill point of the storage), platform and package storage	6 m	3 m
Buildings	7 m	6 m
Security fencing	6 m	6 m
Protected place beyond site boundary	7 m	6 m
Inside perimeter of fuel bund to protected place onsite	3.5 m	3 m

Source: AS1940-2004 – Tables 5.3 and 5.4

The distance required between two self-bunded horizontal tanks is at least 600mm. The tanks must also be accessible for a vehicle on a least two sides.

There is ample space available on site to achieve the separation distances required. The petrol tank will have a separation distance of approximately 14m from the southern boundary. The adjoining residence is a further 3m from the boundary. The Vicarage Café will have a buffer of approximately 10m or more from the diesel tank.

The service station is designed with sufficient buffer distances to ensure that no external ignition sources would potentially impact the site. Barrier fences will also be erected to act as a noise and visual screen for the nearest residential receptors. This will include a barrier fence along the southern boundary to protect the adjoining residence, and a barrier fence along the northern side of Lot 33 to protect the adjoining residence on Lot 32 DP17921 from noise and light. A barrier fence will also be installed on the northern and western sides of the existing residence on Lot 33.

The fuel tanks will be constructed in accordance with AS1692 - Steel tanks for flammable and combustible liquids. This includes the quality of the tank, the internal bund capacity and fit-out of the tank.

The measures to be employed on this site for development of the fuelling facilities meet current best practice guidelines for this level of facility. The requirements for fire control in the form of fire extinguishes and a fire safety plan will need to be addressed during the construction certificate phase of the development.

Similar facilities have been developed in smaller communities in this region where the potential for running a purpose-built service station has proven to be uneconomic due to the cost of structures relating to hazard management and environmental works. The option of self-bunded containerised fuel dispensing systems, is considered preferable in relation to cost effective development whilst meeting obligations in managing the hazard of storing and dispensing fuel.

2.2.4.2 State Environmental Planning Policy (Koala Habitat Protection) 2019

The State Environmental Planning Policy (Koala Habitat Protection) 2019 was introduced on March 1, 2020. It replaces the SEPP 44 – Koala Habitat Protection (1995) and has been updated and improved to increase the level of protection of koala habitat within NSW. Overall, the Policy aims to encourage the conservation and management of areas of natural vegetation that provide habitat for koalas, to ensure a permanent free-living population over their present range and reverse the current trend of koala population decline.

The State Environmental Planning Policy (Koala Habitat Protection) 2019 includes the following key changes:

- An updated definition of koala habitat;
- Two new SEPP maps;
- An expanded list of tree species;
- New SEPP Guidelines; and
- A streamlined development assessment process

Habitat Definition and Feed Tree Species

The new SEPP no longer defines potential koala habitat. The definition of core koala habitat has been updated to allow areas with demonstrated koala presence in highly suitable habitat to be recognised, without the requirements of the previous definition which were difficult to meet. Core koala habitat will now be defined as:

- a) An area of land where koalas are present, or
- b) An area of land:
 - i. Which has been assessed by a suitably qualified and experienced person in accordance with the Guideline as being highly suitable koala habitat; and
 - ii. Where koalas have been recorded as being present in the previous 18 years.

The list of feed tree species has also been updated, increasing the number of species from 10 to 123 species. These 123 species were categorised into 9 distinct regions (Koala Management Areas), according to what trees koalas prefer to use in each area.

Mapping

Two new maps have been introduced and are available for viewing:

- a) The Koala Development Application Map – this identifies areas that have highly suitable koala habitat and are likely to be occupied by koalas. On land where there is no approved Koala Plan of Management, the map will be used to identify land where Council needs to consider the development application requirements in the Guideline.
- b) The Site Investigation area of Koala Plans of Management Map – This identifies land that council are to focus their survey efforts on, particularly when identifying core koala habitat.

Development Assessment Process

Under SEPP 44, an initial flora survey was required to survey land within Development Applications, and, where potential koala habitat had been established, a koala survey was required. If land contained core koala habitat, the proponent had to prepare an Individual Plan of Management to manage any impacts on the resident koala population. Each Plan of Management required approval from the Secretary of the Department. The new Koala Development Application Map eliminates the need to conduct any surveys. Instead of preparing an Individual Plan of Management, proponents are required to prepare their development application in accordance with the criteria in the new Guideline, for council to consider when assessing the application.

Site Assessment

Land within the local government areas listed under Schedule 1 is subject to consideration under this Policy. The Gwydir Shire Council is included in Schedule 1 of the SEPP and therefore an assessment is required. Gwydir Shire is in the Northwest Slopes Koala Management Area. A list of feed tree species for this management area is provided in Schedule 2 of the SEPP. Feed tree species of this management area are listed in the following table:

Table 2: Koala Feed Tree Species based on Management Area

Northwest Slopes Koala Management Area	
Scientific Name	Common Name(s)
<i>Angophora floribunda</i>	Rough-barked Apple
<i>Callitris glaucophylla</i>	White Cypress Pine
<i>Casuarina cristata</i>	Belah
<i>Eucalyptus albens</i>	White Box
<i>Eucalyptus blakelyi</i>	Blakely's Red Gum
<i>Eucalyptus bridgesiana</i>	Apple Box
<i>Eucalyptus caleyi</i>	Drooping Ironbark
<i>Eucalyptus caliginosa</i>	Broad-leaved Stringybark
<i>Eucalyptus camaldulensis</i>	River Red Gum
<i>Eucalyptus canaliculata</i>	Large-fruited Grey Gum
<i>Eucalyptus chloroclada</i>	Dirty Gum

Northwest Slopes Koala Management Area	
Scientific Name	Common Name(s)
<i>Eucalyptus conica</i>	Fuzzy Box
<i>Eucalyptus coolabah</i>	Coolibah
<i>Eucalyptus crebra</i>	Narrow-leaved Ironbark
<i>Eucalyptus dalrympleana</i>	Mountain Gum
<i>Eucalyptus dealbata</i>	Tumbledown Red Gum
<i>Eucalyptus dwyeri</i>	Dwyer's Red Gum
<i>Eucalyptus exserta</i>	Peppermint
<i>Eucalyptus fibrosa</i>	Broad-leaved Red Ironbark
<i>Eucalyptus goniocalyx</i>	Bundy
<i>Eucalyptus laevopinea</i>	Silver-top Stringybark
<i>Eucalyptus largiflorens</i>	Black Box
<i>Eucalyptus macrorhyncha</i>	Red Stringybark
<i>Eucalyptus mannifera</i>	Brittle Gum
<i>Eucalyptus melanophloia</i>	Silver-leaved Ironbark
<i>Eucalyptus melliodora</i>	Yellow Box
<i>Eucalyptus microcarpa</i>	Western Grey Box
<i>Eucalyptus moluccana</i>	Grey Box
<i>Eucalyptus nobilis</i>	Forest Ribbon Gum
<i>Eucalyptus parramattensis</i>	Parramatta Red Gum
<i>Eucalyptus pauciflora</i>	White Sally / Snow Gum
<i>Eucalyptus pilligaensis</i>	Narrow-leaved Grey Box
<i>Eucalyptus polyanthemos</i>	Red Box
<i>Eucalyptus populnea</i>	Bimble Box / Poplar Box
<i>Eucalyptus prava</i>	Orange Gum
<i>Eucalyptus punctata</i>	Grey Gum
<i>Eucalyptus quadrangulata</i>	White-topped Box
<i>Eucalyptus sideroxylon</i>	Mugga Ironbark
<i>Eucalyptus viminalis</i>	Ribbon Gum

The proposed development site does not include any mature trees or vegetation. The front yard of the existing house on Lot 33 however does have two Eucalypts, suspected to be either *E. camaldulensis* or *E. blakelyi*. A survey of these feed trees did not find any koalas nor any scats or scratch marks that would suggest that koalas utilise these trees. Adjacent properties also contain a number of Eucalypt species which are likely to provide Koala Habitat. The surrounding area includes a range of potential Koala corridors and habitat.

The NSW Department of Planning, Industry and the Environment's online mapping tool was searched to determine the assessment of koala habitat value within the proposal's footprint

and its vicinity. The subject site and surrounding area are shown in relation to the Koala Development Application Map layer, in Figure 3. The area within the proposed footprint is not considered within either the Site Investigation Area for Koala Plans of Management or the Koala Development Application layers. However, the adjacent vegetation is considered as part of the Site Investigation Area for Koala Plans of Management. This area will need to be excluded from all construction activities.

Figure 1 includes a map of all recorded Koala Sightings around North Star. The red triangles indicate a sighting. There is one sighting within North Star located at the junction of Edward Street and Cleveland Street. Approximately 90m south of the sighting is the entrance of the proposed service station.

It is therefore anticipated that mature feed trees around North Star residences may occasionally host a koala however it appears there is no significant “resident population” within the town.

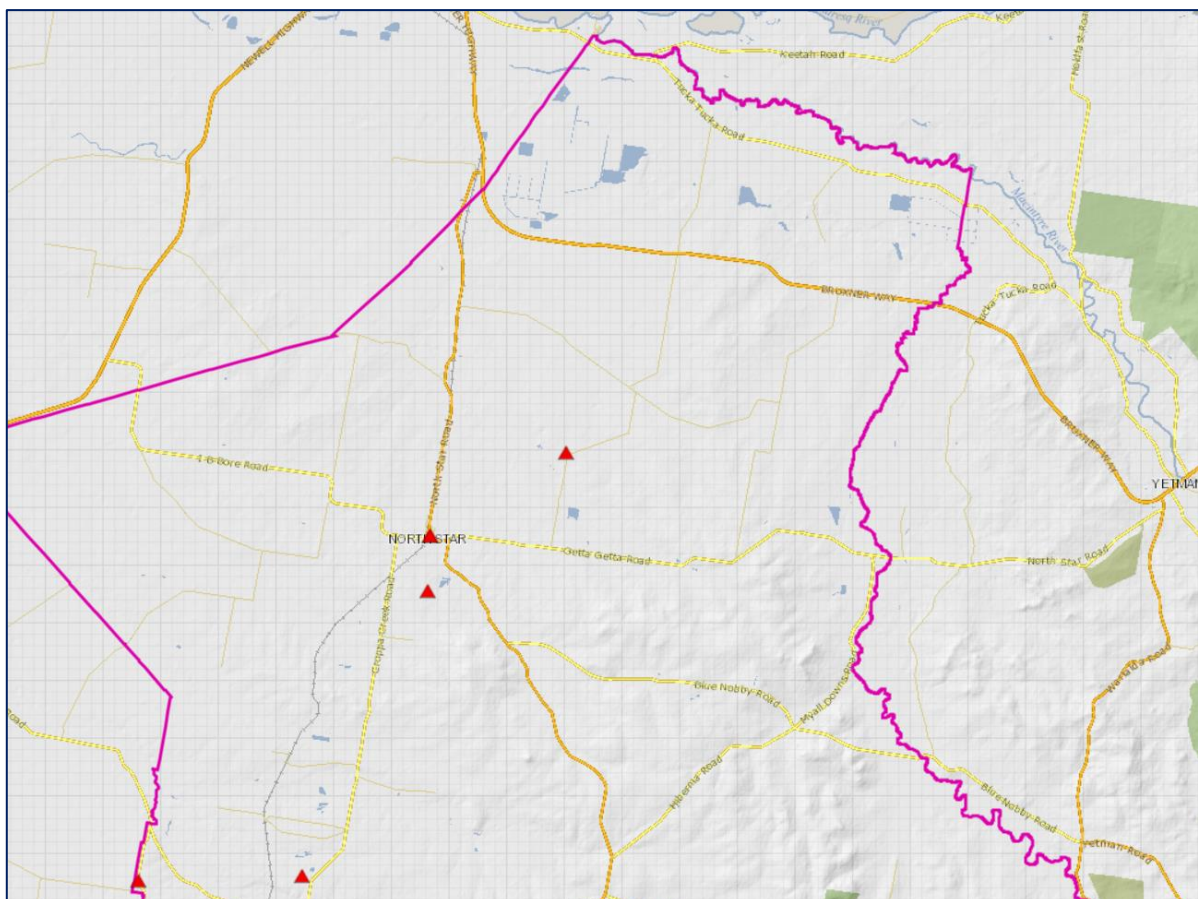


Figure 1: Koala Records within the Gwydir Shire LGA

Given observations onsite, it was determined that no Koala habitat is present within the development footprint. If Koala were present in the area, it is likely that they would prefer higher quality remnant vegetation to the east of the subject site around Mobbindy Creek.

There is no vegetation removal proposed as part of this development application and it is therefore considered unlikely that the proposal would result in any adverse impacts on any local Koala population. On this basis, it is considered that the requirements of the SEPP do not need any further consideration.

2.3 Local Planning Instruments

2.3.1 Gwydir Local Environmental Plan 2013

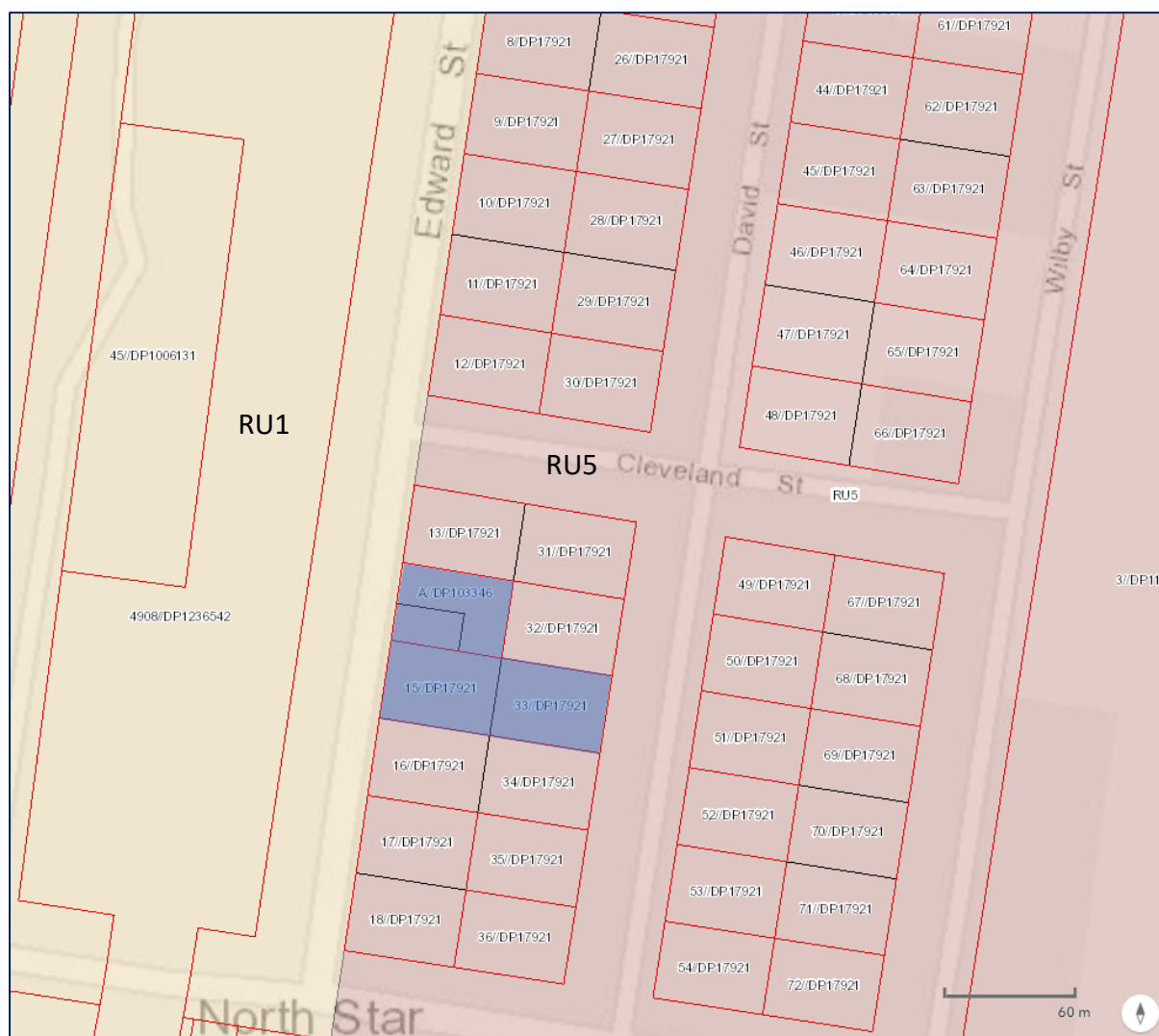
In accordance with the LEP, the proposed facility can be best defined as a *“Neighbourhood shop – premises used for the purposes of selling general merchandise such as foodstuffs, personal care products, newspapers and the like to provide for the day-to-day needs of people who live or work in the local area.”*

Such a facility as proposed is permissible with consent under the Gwydir Shire LEP 2013.

Land Use Zoning

The proposal falls under the *Gwydir Local Environmental Plan 2013*. The subject lots are zoned as RU5 – Village as shown in blue in **Error! Reference source not found.** West of the lots across Edward Street is zoned as RU1 – Rural.

Figure 2: Zoning Boundary for North Star



Objectives of Zone RU5

The objectives of Zone RU5 are:

- To provide for a range of land uses, services and facilities that are associated with a rural village.

Comment: The proposal will support this objective by providing a necessary service and facility to the local community of North Star. It will decrease the need for residents to travel long distances to access fuel and basic groceries therefore substantially reducing living costs for North Star residents. Such infrastructure is essential to support a rural village and the number of agricultural enterprises throughout the locality.

Does the proposal satisfy the requirements of the environmental planning instrument?

The proposed development is considered compatible with the objectives of the site's RU5 – Rural Village zoning, and permissible, with development consent, under the provisions of the *Gwydir Local Environmental Plan 2013 (LEP)*.

In accordance with the LEP, Council has advised that the Vicarage Café can be defined as:

- A retail premise;
- A food premise;
- A service station for retail sale of fuel only (No wholesale storage)

The applicant will seek consent for operation of all such facilities on this site.

2.3.2 Draft Environmental Planning Instruments

No draft environmental planning instruments apply to this proposal.

2.3.3 Development Control Plans

The proposed development is not considered a traffic generating development and as such *Section 94 – Development Control Plan No. 1 – Traffic Generating Development 2011* is not relevant to this proposal.

No other development control plans have been prepared by Gwydir Shire Council.

3 Environmental Assessment

Items considered include matters set out under Section 79C of the *Environmental Planning and Assessment Act 1979*.

3.1 Soil and Lithology

Bore reports from water bores drilled around North Star provide an indication of the natural soil and lithology in the area. Surface soils are dominated by brown light clays to 600mm. This transitions to a dark brown medium clay consistent to 4m. The soils are classed as vertosols with shrink and swell characteristics. Siltstone and sandstone then dominate the lithology to 50m depth with a number of water bearing zones.

The fuel service site has a top fill layer of gravel from previous use as a fuel service facility. Some imported fill material would have been used when the original underground fuel tanks were removed. The location and depth of this fill is unknown but is likely to be towards the centre of Lot 15. It is expected that the clean fill material originated from a nearby borrow pit with similar properties to the natural clay found on the remainder of the site.

The site is not considered to have any existing salinity issues and the development proposal as designed will not increase the risk of salinity on the property. There is no risk of acid sulphate soils at or surrounding the development site.

3.2 Land Contamination

The subject site is not listed as contaminated under the NSW EPA Contaminated Land Register. However, the register does not contain a comprehensive index of every

contaminated site in the State, as the register cannot account for contaminated sites which have not yet been identified. An examination of the register must therefore be accompanied by a site assessment to determine a site's likelihood of being contaminated.

Site history includes the use of this site for the sale of fuel products. Advice was provided that three below ground fuel tanks were present at some stage in the site's history. The fuel facility had been decommissioned and had not been used for an extended period. Particular dates when the fuel facility closed are not available. Further advice has been provided to indicate that the three below ground fuel tanks were removed and the soil around these tanks was removed. The soil around the tanks had been over-excavated to ensure that no fuel contamination remained onsite. No fuel related infrastructure remains on the site. No surface contamination remains visible.

The advice provided indicates that the facility closed due to the increase in on-farm fuel storage facilities and significant reduction in fuel sales from this facility. The advice included that the three fuel tanks were re-purposed for mobile fuel tanks on surrounding farms. This advice indicates that the three tanks were in good condition and had not rusted out or had leakage points. It was also stated that the related pipe infrastructure was removed during the excavation work and that no fuel contamination was present or remained around the tanks.

The fuel tank and facilities were developed prior to any requirement for onsite monitoring as required by UPSS Guidelines at present. The risk of fuel contamination below this site is considered minimal based on observations and advice provided by local residents who witnessed the removal of the old fuel tanks. The fact that the tanks that were removed and continue to be used as fuel tanks, indicates that the tanks were in good condition and without holes or significant rust. No surface contamination is visible. No fuel odour was present. If fuel contamination occurred, it would generally have consisted of minor spillage and surface contamination only.

This preliminary contamination assessment has concluded that the presence of any potential contamination on this site is minimal and if minor contamination is present, it would not impact on the proposed development. Accordingly, no further investigation is required. If contamination is identified during the course of construction on this site including installation of piers and foundations, a more detailed investigation will be required.

3.3 Water Resources

The closest surface water is located 800 m east of site at Mobbindry Creek. The creek supports some small waterholes along its course as well as seasonal wetlands and swaps. The creek flows to the north and joins larger tributaries of the Macintyre River.

Mobbindry Creek is primarily used for stock water purposes. No activities associated with the Vicarage Café and Service Station will occur within the creek or associated riparian area. Direct impacts to Mobbindry Creek and the greater Macintyre catchment are therefore considered limited.

Potential impacts on water quality as a result of the proposed development may occur indirectly as a result of:

- Erosion and sediment transport during construction and operation phases; and
- Potential spillage or addition of pollutants to the waterways.

The implementation of appropriate mitigation measures will be required to minimise the potential impact to waterways. The following measures are recommended for the proposal:

- Prepare an Erosion and Sediment Control Plan (ESCP) and Construction Environmental Management Plan (CEMP) prior to undertaking any earthworks;
- Implement temporary erosion and sediment control structures such as straw bales and silt fences to minimise the potential for sediment laden runoff to enter watercourses;
- Progressively stabilise and revegetate disturbed areas;
- Regularly monitor and maintain all erosion, sedimentation and pollution control devices, particularly after any significant rainfall event, to ensure effective operation, especially during the construction phase and until disturbed areas are stabilised and/or properly vegetated;
- In the event of a chemical or sediment escape from site it would be cleaned up to a state which is no less than its condition prior to discharge;
- Regularly monitor the effectiveness of the mitigation measures;
- Buffer strips to be identified to minimise disturbance to the surrounding area; and
- Education of site personnel for the implementation of sediment and erosion control plans.

3.3.1 Water Supply

North Star has a municipal water supply system. This is obtained from an artesian bore. The water supply is managed by Council and is considered consistent with appropriate potable water standards. The proposed development will obtain its water supply from this system. The site has an existing connection to water mains.

It is noted that a fire hydrant is present in the footpath on Edward Street. This will be preserved if possible or alternatively moved from the driveway area.

3.3.2 Wastewater Generation

The premises will produce some liquid waste from Café facilities to be provided in the shop and general cleaning of the shop and cooking facilities. It is unclear whether there is a requirement to provide toilet facilities within the Café as the intent is not to provide eating facilities within the Café. The Café will offer takeaway only. This includes takeaway alcohol.

North Star does not have a sewage system and relies upon individual onsite wastewater management systems. The Vicarage as well as the residence on Lot 33 have standard septic system for disposal of wastewater via absorption trenches. Lot 33 residence will not receive any change to the potential production of wastewater and therefore the existing onsite disposal system is considered acceptable for ongoing use by potentially 2 to 4 residents associated with the Vicarage Café. The disposal area for the septic tank is below the backyard of the residence (David Street side). The disposal area is therefore not anticipated to interfere with construction activities for the entrance road or fuel area.

The renovation of the Vicarage may include additional toilet facilities for staff. Development of a Takeaway facility will involve cooking and therefore require a grease separator to manage oils and fats resulting from food preparation. Once the final plans for the Café are prepared, an Onsite Wastewater Management Plan will be required to assess the existing septic system and determine whether alterations are required. In relation to wastewater production, the Café would be defined as a tearoom/lunch bar. According to AS/NZS 1547:2012, such a facility without restrooms for customers will generate approximately 15 litres of wastewater per customer. This would consist of water used for washing and preparation of food, in addition to staff ablution facilities. This can be compared to 150 litres per day for the original residents in the Vicarage. The Vicarage is equivalent to a 4-bedroom house and therefore would have the potential to generate between 600 and 750 litres of wastewater per day. A re-assessment of the existing wastewater system will occur during the construction certificate stage of the development proposal.

3.4 Air Quality

Air pollution can result from exhaust emissions from machinery used during the construction phase of the works. During construction, dust may also be generated through the use of equipment and earthworks. Construction work would be undertaken during normal working hours. It is anticipated that through the use of standard dust control measures, such as the use of water carts, dampening of exposed areas, revegetation, and covering of truck loads, the amount of dust generation during construction would be minimised. During extreme conditions, such as hot, dry, windy conditions, dust generating work would be suspended as necessary to prevent undue dust impacts. If required, sprinklers will be established to suppress dust generated from vehicles utilising the fuel facilities.

Through the proper maintenance of construction vehicles excessive emissions would also be avoided. Speed limits for vehicles entering or leaving the site will be set at 5 km/h. Trucks and equipment idling onsite will be limited to reduce unnecessary emissions.

Once operations commence, there is a potential source of dust from vehicles moving across the gravel pad around the refuelling area and carparks. A low dust emitting gravel material (such as blue metal) will be selected. Materials such as white rock will be avoided. If the gravel area is found to emit too much dust after operations commence, a sprinkler system can be installed to water the gravel at regular intervals.

The surface of the entrance road from David Street will be sealed with bitumen significantly reducing dust emissions to nearby sensitive receptors. The entrance and exit points on David and Edward Street will be subject to higher levels of vehicle turning and will need to be concreted to avoid the break-up of gravel or potholing of bitumen materials. This will also require an upgrade to culverts on both David and Edward street. The design of these entry ways will be subject to Austroads design and relevant council policies.

3.5 Noise Impacts

The proposal includes operation of a Café and two above ground fuel tanks with associated bunding and infrastructure. The primary source of noise from the site will be generated by vehicles and trucks moving through the fuelling facilities. The fuelling facilities are fully containerised and therefore this provides a noise enclosure for pump operations. Café noise would be limited to Edward Street. If patrons wish to remain near the site to consume food purchased from the Café, a public park area is available on the western side of Edward Street. This area is already utilised by the public as a rest facility.

Trucks currently use Edward street as a rest stop in North Star. The Café is likely to increase the instance of parked, idling trucks along Edward Street as drivers utilise the facilities. The Café operators can encourage truck drivers to turn off their engines to reduce idling noise however this is public property and cannot be enforced by the Café operators.

The surrounding background noise will be below general threshold levels recognised for more metropolitan locations as North Star is a quiet town. The majority of significant noise generated within North Star, results from passing traffic.

Noise from trucks and vehicles will be mitigated by site speed limits of 5 km/h and noise limitation signs. Trucks and vehicles refuelling will be required to turn off their ignition before filling tanks as is required in all petrol stations across Australia. Noise emitted from idling vehicles is therefore expected to be minimal.

The entrance road will be bitumen sealed, which will reduce noise that may otherwise be caused by potholes forming or non-conformities on a gravel surface. Along the entrance road, a wall with acoustic shielding and a vegetation screen will be constructed to block noise from the sensitive receptor at 10 David Street. The wall dimensions and material will be detailed in the construction certificate phase of the development. This is anticipated to significantly reduce noise levels to the nearest sensitive receptor. A vegetation screen will also be planted along the southern fence to reduce noise emissions to the currently unoccupied residence at 5 Edward Street. If the residence is reoccupied in the future and noise becomes an issue despite the vegetation barrier, a second acoustic wall running along the southern fence can be constructed.

Noise exceedances generally relate to short intervals of vehicle noise as trucks and other vehicles move through the town area. Truck noise from the service station is predicted to be lower than revving trucks using the North Star Road (Edward Street) or trucks using the IB Bore Road. The potential impact of noise from the Service Station is therefore considered to have minimal impact.

The truck and vehicle noise onsite will be subject to driver behaviour and site rules. On occasions, some noise exceedances will occur as a result of revving trucks and therefore the Proponent must enforce appropriate limitations on the site and associated penalties. It is noted that the site will be subject to surveillance cameras for security purposes. Noise incidents can therefore be dealt with in a short period.

Trucks that are parked along Edward Street utilising the Café facilities or resting will also be asked to turn off their engines to limit idle noise along Edward Street.

If noise exceedances cannot be controlled by site management, the option is available to partially enclose the remainder of the site with a large fence with acoustic shielding to contain truck and vehicle noise to the nearest residential properties to the north and south.

3.6 Odour Emissions

The service station is expected to have a diffuse odour source. The sources of odour would include odour from vehicle exhausts and fuel odour from escaped fuel vapours. This may be exaggerated on fuel delivery days during the refuelling of the tanks.

Trucks may also produce odours if they are carting livestock or recently carted livestock and therefore contain livestock effluent. The strength and regularity of these odours will be highly variable. Trucks are unlikely to remain onsite for longer than required for fuelling, particularly if loaded with stock.

The closest residence to the facility is located directly south of the site and the proposed petrol tank location. Only light vehicles are anticipated to refuel at the petrol tank. Trucks will refuel at the Diesel bowsers located on the northern side of the site. A 2m high fence buffer will be used to reduce migration of any odours produced by refuelling activities and truck cargo to the residence. No specific guidelines buffer distances are published for separation distances between a parked livestock vehicle and a receptor.

The residential receptors in North Star are considered more sensitive to rural odours than a farm residence based on the regularity of exposure. The general prevailing wind for the site is from an easterly direction. This will tend to take any odour away from the town area into open land and cropping paddocks to the west.

The potential for unacceptable odour generation from this site is considered low.

3.7 Energy

The proposed development is not predicted to be energy-intensive. Once constructed, the site will involve a minor amount of lighting and electricity use for fuelling of vehicles and operation of the Café and shop.

The fuel site has access to 3-phase electricity via an existing onsite pole. The Vicarage Café already has a domestic electricity supply installed which is anticipated to be sufficient for activities associated with the Café and shop.

Where practicable, the Proponent will utilise energy-saving devices (such as low energy light bulbs) to minimise energy consumption.

3.8 Safety, Security & Crime Prevention

When open, the shop will be attended by service personnel and this will ensure the shop is secure. After hours, the shop will be locked and secured with an alarm system and security cameras. The shop manager house is also located onsite on Lot 33. This will ensure a swift response time in the event the security alarm is triggered. Any cash from the days sales and the float will be kept in a safe onsite.

The fuel system is intended to operate independently from the shop. Fuel sales will occur by card. Only those with fuel cards will be able to access the fuel supply system. This is considered as a safe and secure process to enable the fuel sales facility to remain unattended.

3.9 Waste

The site will be serviced by Council waste collection services. General waste generated from the premises will either be recycled or disposed of via Council waste collection services.

North Star does not have a sewage system and relies on individual wastewater management systems. The existing onsite system at the Vicarage will require an extension to cater for the potential use by shop patrons. The upgrade will be subject to design and Council approval. This will be subject to the installation of additional toilet facilities; however, the Café is expected to generate more wastewater than a residence.

The development of a Takeaway facility will involve cooking and therefore require a grease separator to manage oils and fats resulting from food preparation. Gwydir Shire Council provides a waste oil collection service at the North Star depot which will be suitable for receiving waste oils from cooking and food preparation.

Oil waste generated from the oil-water separator will be collected by an appropriate Licensed Operator and disposed of off-site or recycled where possible.

3.10 Natural Hazards

The land is geologically stable and not subject to volcanism, earthquake or soil instability such as subsidence, slip or mass movement.

3.10.1 Bushfire Risk

The parcel of land is not classified as bushfire prone land according to the Rural Fire Service's "Bush Fire Prone Land Mapping Tool". North Star is surrounded by large areas of cleared broadacre cropping which significantly mitigates the risk of bushfires within the village.

3.10.2 Flooding Liability

The site is considered flood free. North Star has historically not been flooded in storm or flood events associated with Mobbindry Creek to the east.

3.11 Cultural Heritage

3.11.1 Indigenous Heritage

The site has been developed as part of North Star since the town was established. The original vegetation was removed and therefore no potential exists for scar trees or similar markings on native vegetation.

The ground on this site has been highly modified over time for the purpose of gardens, houses, sheds and general site activity. The potential for any artefacts remaining on site is negligible. The development is not considered to create any risk of disturbing unknown artefacts.

3.11.2 Non-indigenous Heritage

No non-indigenous heritage items are listed on this site or are present.

3.12 Visual Impacts

The proposed development includes various design features which will improve the visual amenity of the site. The fuel tanks will be located on a site that had previously been utilised for the storage of fuel. The new development will involve more above ground works but is not considered as a visually offensive structure. The Café will be located in an existing building which will be modified.

Some signage will be required. The size of this signage will be limited by Council as the signage will be subject to review during a construction certificate phase. NSW Fair Trading and Regulation (2012) outlines requirements around fuel price signage. It states that the price of available fuel must be displayed at the petrol station so that it will be readily seen by motorists approaching the petrol station at any time. A lit fuel price sign will be required on Edward Street. Specific details of its positioning and size will be subject to the construction certificate phase.

Some landscaping, comprising of trees, shrubs and grasses will significantly enhance presentation of the site from its current state. Vegetation screens will be planted on the northern and southern fences to mitigate noise and dust emissions to sensitive receptors as well as improve the sites visual amenity. Vegetation planted alongside the northern noise wall along the David Street entry will provide some cooling while improving the visual amenity of the wall.

3.13 Access, Transport and Parking

The site will be accessible via the David Street entry where vehicles will drive east towards to the fuel tanks and site carparks. Vehicles will be able to park either side of the diesel fuel tank or to the right of the petrol fuel tank. There will be sufficient space of 18 m behind the bowser points for trucks and vehicles to form a line during busy periods. Vehicles will then exit via Edward Street to continue on the North Star Road.

Patrons will be able to park onsite south of the bowsers in the carpark, or along Edward Street to access the Vicarage Café. Additional parking will also be available immediately North of the Vicarage. This area will also provide delivery vehicle access and disabled parking.

According to Australian Standard (AS) 1940 - The Storage and Handling of Flammable and Combustible Liquids, it is a requirement for a site containing both flammable and combustible liquid in the same compound to have access roads outside the bund to at least two sides of the tank. The site design will allow for this with an access road either side of each tank.

Patrons who do not wish to refuel and are accessing the Café can either park along Edward Street or park onsite. Parking along the western side of Edward street will be more suitable for larger vehicles and trucks unable to fit into the onsite carparks. This is used by trucks that need to stop in North Star at present. The Café is likely to increase the instance of parked,

idling trucks along Edward Street. The Café operators can encourage truck drivers to turn off their engines to reduce idling noise however this is public property and cannot be enforced by the café operators. Alternative large space car parking is available within the town area.

There will be more than 5-car-park spaces available in front of the Café and a similar number within the fuel area. Additional car park space will be provided for staff and a manager at the rear of the Café with the manager possibly living onsite and leaving their vehicle at the residence.

The tenant living in the house onsite will be able to access their carport by entering on David street and turning into the carport/driveway before the fuel bowsers.

A footpath will be constructed from Edward street into the Vicarage Café.

Overall, the subject site is considered to have acceptable site access, internal flow for traffic and provision for parking. The layout of the site is further outlined in associated site plans.

3.14 Services and Utilities

The site will be connected to the North Star electricity supply and town water. The site will require its own sewage system. The existing onsite system at the Vicarage will require an extension to cater for the potential use by shop patrons. The upgrade will be subject to design and Council approval as the Café is expected to generate more wastewater than a residence.

The site will have public bins available, which will be serviced by Council garbage collection services.

3.15 Social and Economic Impacts

The proposed development will service vehicle traffic associated with the surrounding agricultural industries (such as farm vehicles, haulage trucks) as well as local traffic produced by North Star residents. The fuel and Café services will provide a number of different economic and social benefits to rural workers and North Star residents.

The shop will firstly provide an aspect of convenience reducing the time and cost of travelling to larger population centres for basic supplies and fuel.

Secondly the shop will be able to service and generate income from visitors. North Star regularly hosts polocrosse events and an annual trail ride which can bring up to 800 visitors to North Star on a weekend. The incoming section of Inland Rail from Narrabri to North Star is also expected to see a large work camp housing several hundred workers constructed outside of North Star.

Events and projects such as these will see an influx of customers stimulating cashflow within North Star. As the Vicarage is locally owned and operated this cash will circulate within the community promoting economic resilience.

The operation of the shop is anticipated to produce two full time jobs for local residents plus some casual positions during peak periods providing both economic and social benefits to the town.

3.16 Cumulative Impacts

The proposed development will not require the clearing of any vegetation or habitat. The site was once used as a service station and was cleared of vegetation for this use some time ago.

A Due Diligence assessment has indicated that the subject site is unlikely to support sites of Indigenous heritage significance. In the event that indigenous heritage items are uncovered during site construction, work in the vicinity of the item will cease and appropriate protocols will be adopted in accordance with procedures outlined in Section 3.11.1. As such, the development is not considered to pose a risk to cultural heritage values.

The fuel station and shop are predicted to produce positive economic and social benefits for the surrounding region, by reducing travel requirements of local residents to purchase necessities and creating jobs and cash flow for the community.

Overall, the fuel station and shop are considered to benefit the surrounding the region.

4 Suitability of the Site for the Development

4.1 Context and Setting

The proposed development is to be located on North Star Road (Edward Street) which is the main street in North Star. The site is located within the township in a position where local residents will be able to walk to the store for supplies. A further location benefit is that the site is connected to North Star's electricity and water and is serviced by Council Waste Collection.

The site is large enough to create the required buffer distances between fuel storages and neighbouring residents according to strict Australian Standards. The layout of the site is designed such that will be unlikely to generate land use conflict with surrounding landholders and residents.

The site is located on a key transport route for grain and cattle trucks, which travel from surrounding properties to markets and depots both North and South in Goondiwindi and Moree. Any other vehicles driving through North Star from the South or North will pass the Vicarage. It is located centrally for a number of rural enterprises in the area and is well poised for the increased activity anticipated with the Narrabri to North Star section of Inland Rail.

The site is in a strategic position within the road network to operate a fuel station, café and store.

4.2 Land Use Conflict

The site will be designed to utilise sufficient buffering distances for the fuel storages and shop such that the risk of land use conflict is minimal. Barriers and fences will be erected to reduce noise and any dust nuisances which are produced by the site. The site has also previously been utilised as a fuel station.

4.3 The Public Interest

Do any policy statements from Federal or State Governments have relevance?

Comment: No

Are there any relevant planning studies or strategies?

The NSW Department of Planning, Industry and Environment have developed a New England and North West Regional Plan. Goal 1 of this plan aims to build a strong and dynamic regional economy. Action 7.4 of this goal states:

"Facilitate economic activity around industry anchors, such as health and education facilities, through planning controls that encourage clusters of complementary uses and address infrastructure needs."

Comment: The proposed development aligns with the goal of building a dynamic regional economy. The Vicarage will provide necessary services to the local agricultural industry while creating economic activity for the regional village of North Star.

How will the health and safety of the public be affected?

Comment: The health and safety of the public will not be negatively impacted by the proposed development. It is likely to increase public safety by reducing the required driving distances to access fuel and other necessities. The shop will also improve the overall food security of the township.

4.4 Alternatives

The purpose of the proposal is to provide a shop and Café facility in North Star which at present, does not have such a continuous service. Existing services are limited.

At present, there is no point for fuel sales in North Star. Without the proposal being developed, this issue would remain problematic to the residents of North Star. This has been overcome by most surrounding farm operations in the form of on-farm fuel storages. The residents in North Star do not have access to this and therefore must either store fuel at their residences or travel to mostly Goondiwindi to refuel their vehicles.

5 Conclusion and Recommendations

This Statement of Environmental Effects provided an investigation into the proposed operation of The Vicarage Café which will include a shop and service station at 7-11 Edward Street, North Star. The findings of this Statement of Environmental Effects include the following:

- The proposal is considered to comply with local planning guidelines and meets the objectives of the *Gwydir Local Environmental Plan 2013* and any applicable Development Control Plans including the *New England and North West Regional Plan*;
- The proposal is located in an area that has a sufficient buffer distance from North Star residents and sensitive receptors to not cause a nuisance or disrupt public amenity.
- The proposal will include structures to capture any fuel spills generated on the site and the risk of offsite pollution is minimal and therefore acceptable
- The proposal does not appear to pose any adverse effects to the social or economic fabric of North Star.

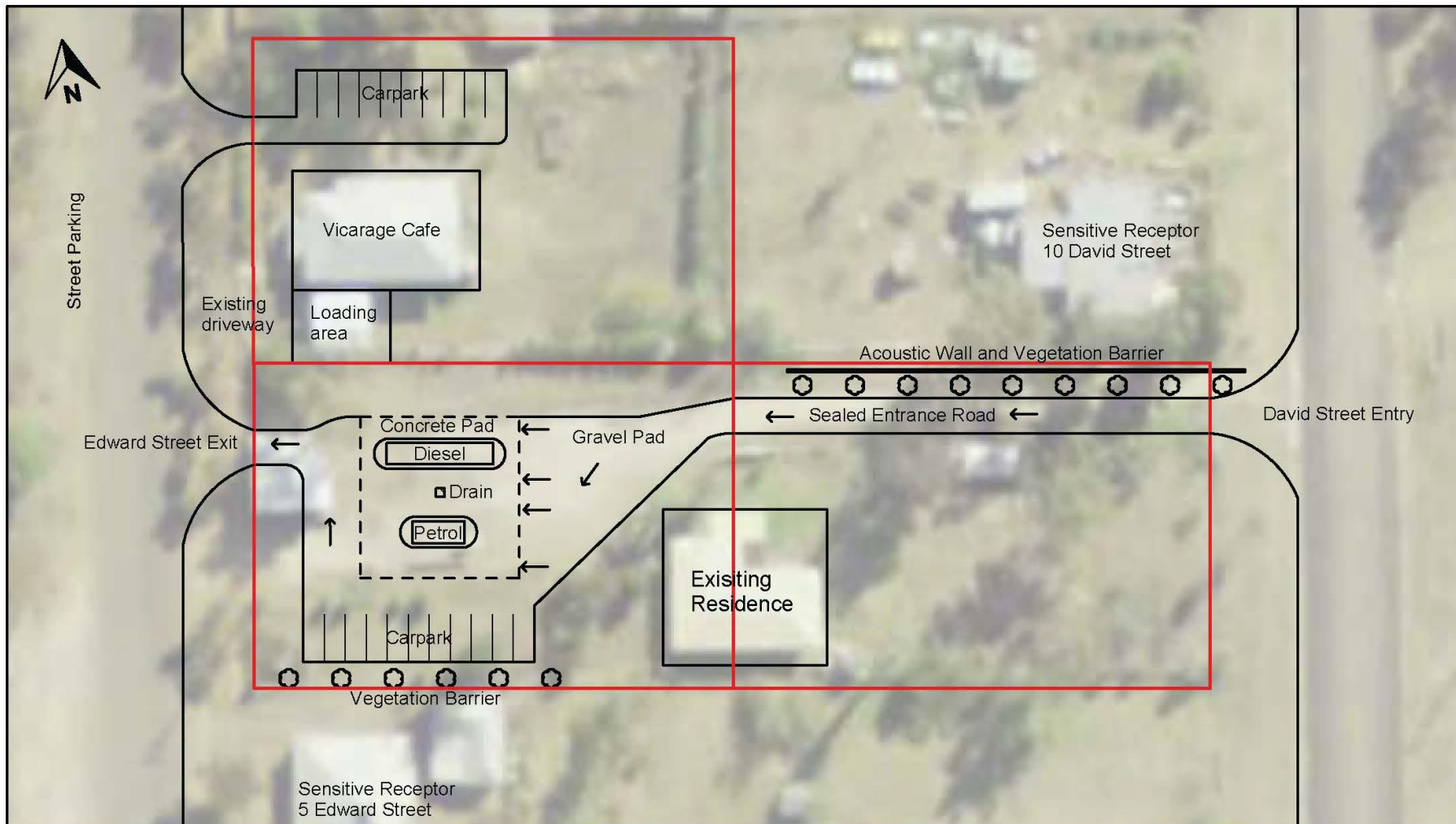
In general, the proposal to re-open a Café and small store in North Star will have significant benefits to the local community and travelling public. The sale of fuel at the premises by a purposely built and relatively automated and self-bunded tank system will have positive benefits for locals as it provides a cost-effective system of providing local fuel, rather than travelling 40-km or more to fuel their vehicles.

Plan 1 – Locality Plan



CLIENT: Simon Doolin		PROJECT: Vicarage Cafe and Service Station		JOB No: 20-255	SHEET No: 1 of 1	
SCALES: HORIZ. 1:500 VERT. _____		A4	SMK CONSULTANTS surveying - irrigation - environmental PO BOX 774 MOREE 2400 PHONE (02) 67 521021	DESCRIPTION: Development Lot and Plan Numbers		COMPUTER FILE (NOJ): Site.Sbc - Drawing001
DATUM: LOCAL AHD MGA ZONE 55				PLAN REVISION:	DATE	
SURVEYED _____	Contours Design Existing	A	FIRST ISSUE	13-10-2020		
DESIGNED: <u>Jeremy Barr</u>	Major: 1.0 m	B				
CHECKED: <u>BALU COVILL</u>	Minor: 0.2 m	C				

Plan 2 – Site Plan



CLIENT: Simon Doolin

PROJECT: Vicarage Cafe and Service Station

JOB No. 20-255
 SHEET No. 1 of 1
 COMPUTER FILE (MJC): Site Plan - Drawing001

SCALES: HORIZ. 1:600
 VERT. _____
 DATUM: LOCAL AHD MGA ZONE 55

A4

SMK CONSULTANTS
 surveying - irrigation - environmental
 PO BOX 774 MOREE 2400
 PHONE (02) 67 521021

DESCRIPTION:
 Site layout including tank locations

PLAN REVISION:	DATE
A FIRST ISSUE	19-11-2020
B	
C	

SURVEYED	Contours	Design	Existing
DESIGNED: Kyra O'Sullivan	Major: 1.0 m	—	—
CHECKED: PAUL COVELL	Minor: 0.2 m	—	—